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Confidence-building measures in the regional and subregional context

Report of the Secretary-General

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I. Introduction

1. In its resolution 68/55, the General Assembly reaffirmed the ways and means regarding confidence- and security-building measures set out in the report of the Disarmament Commission on its 1993 session and called upon Member States to pursue those ways and means through sustained consultations and dialogue, while at the same time avoiding actions that might hinder or impair such a dialogue. Furthermore, the Assembly urged States to comply strictly with all bilateral, regional and international agreements, including arms control and disarmament agreements, to which they were party. The Assembly also emphasized that the objective of confidence-building measures should be to help to strengthen international peace and security and to be consistent with the principle of undiminished security at the lowest level of armaments, and encouraged the promotion of bilateral and regional confidence-building measures, with the consent and participation of the parties concerned, to avoid conflict and prevent the unintended and accidental outbreak of hostilities. It requested the Secretary-General to submit a report at its sixty-ninth session containing the views of Member States on confidence-building measures in the regional and subregional context. The present report is submitted pursuant to that request.

2. A note verbale was sent on 5 February 2014 to all Member States requesting their views. To date, replies have been received from the Governments of Armenia, Azerbaijan, Cuba, the Dominican Republic, Ecuador, Portugal, Qatar, Serbia, Spain and Ukraine. Those replies are reproduced in section II below. Additional replies will be issued as addenda to the present report.

II. Replies received from Member States

Armenia

[Original: English]
[9 May 2014]

General Assembly resolution 68/55 is an important opportunity to examine the challenges relating to confidence-building measures at the regional and subregional levels, to identify the sources of dormant tensions and to seek solutions.

Armenia has always been a staunch advocate of regional cooperation in every possible sphere. The reasoning is simple and well justified: even if there are problems between the countries in particular regions, any cooperation — whether small or large in scale, or short or long in duration — is an indisputable contributor to building confidence.

Guided by this principled approach, Armenia makes every effort to advance confidence-building in the South Caucasus, utilizing the frameworks of the United Nations, the European Union, the Organization for Security and Cooperation in Europe (OSCE), the North Atlantic Treaty Organization Partnership for Peace/ Euro-Atlantic Partnership Council and bilateral relations. Armenia has always demonstrated its readiness and willingness to initiate projects aimed at the development of regional cooperation in various fields.

Unfortunately, the prevailing situation in the region and the ill-perceived political motivations of Turkey and Azerbaijan do not allow practical confidence-building steps to be taken in the field of disarmament. Even worse, there is an extremely dangerous arms race looming at the subregional level.

According to official information on the implementation of the Treaty on Conventional Armed Forces in Europe, as at 1 January 2014 Azerbaijan significantly exceeds its established ceilings in two categories of the equipment restricted under the Treaty. The Azerbaijani holdings in battle tanks are 484 (the permitted ceiling is 220) and its holdings in artillery are 624 (the permitted ceiling is 285). In 2010, there was a sizeable increase in the holdings in artillery (44), as well as in the categories of attack helicopters (11) and combat aircraft (4).

The many-fold increase in Azerbaijan's military budget over the past years (by 470 per cent since 2000, with defence spending in 2011 up to $3.3 billion) and the persistent aggressive and harsh rhetoric of the Azerbaijani leadership also heighten the tensions in the region of the South Caucasus and seriously undermine the negotiation process aimed at the peaceful settlement of existing problems, in particular the Nagorno Karabakh conflict.

The confidence- and security-building measures are of particular significance in conflict resolution. Regrettably, Azerbaijan refuses to remove from the line of contact snipers that claim several dozens of lives every year. The Azeri side ignores the persistent calls of the Secretary-General, consecutive Chairpersons-in-Office of OSCE and the Co-Chairs of the OSCE Minsk Group to this effect. Azerbaijan fails to deliver on its own commitment made in the joint statement by the Presidents of Azerbaijan, Armenia and the Russian Federation on 23 January 2012 in Sochi, Russian Federation, and refuses to strengthen the ceasefire regime by establishing an investigative mechanism into ceasefire violations.

The full and unconditional implementation of the legally binding Treaty on Conventional Armed Forces in Europe is not only the main instrument of conventional arms control, but also one of the cornerstones of confidence-building measures in the region. The negligent position of Azerbaijan in this regard has had a very negative impact on the efforts of Armenia to promote an atmosphere of trust and cooperation in the region.

To ease the existing tensions in the region, to reverse the worrisome trends and to fill the security vacuum, Armenia and Georgia have been taking responsible steps to advance bilateral cooperation also in the field of defence. Hopefully, this positive development will influence the other stakeholders in the region to embark on the same road.

Azerbaijan

[Original: English]
[30 May 2014]

Azerbaijan considers confidence-building measures to be a valuable complementary tool in fostering common trust and security among States at the international, regional and subregional levels. The implementation of confidence-building measures should take place in a manner that ensures the right of each State to equal security, guaranteeing that no individual State or group of States obtains

advantages over others. Confidence-building measures cannot be applied out of the overall political and security context, in particular when conflict situations are the area of application. They can be effective only when there is a genuine commitment of States to peace and stability supported by specific actions that enjoy confidence.

Azerbaijan continues its consistent efforts at the multilateral and bilateral levels to ensure closer coordination and cooperation in the implementation of its respective obligations in the area of arms control, non-proliferation, disarmament and confidence-building measures. As a participating State of OSCE, Azerbaijan regularly engages in sharing information, submits reports and receives on-site inspections, evaluation and observation visits under the OSCE Vienna Document 2011 on Confidence- and Security-Building Measures, the Code of Conduct on Politico-Military Aspects of Security, the OSCE Document on Small Arms and Light Weapons and the OSCE Document on Principles Governing Conventional Arms Transfers, among others.

The continued occupation by Armenia of the Daghlyq Garabagh (Nagorno-Karabakh) region and seven surrounding districts of Azerbaijan is a serious obstacle to the effective application of confidence-building measures in the South Caucasus region. In its resolution 68/55, the General Assembly called upon Member States to refrain from the threat or use of force in accordance with the purposes and principles of the Charter of the United Nations and to settle their disputes by peaceful means. Armenia's consistent and wilful disregard for these and other international legal obligations undermines peace, security and stability in the South Caucasus.

Armenia continues its military build-up and regularly conducts large-scale military exercises in the occupied territories of Azerbaijan. Regular ceasefire violations and deliberate attacks by the Armed Forces of Armenia against Azerbaijani civilians and civilian objects are becoming more frequent and violent, resulting in the killing and maiming of many civilians residing near the front line.

Armenia must immediately withdraw its Armed Forces from all occupied territories in Azerbaijan, respect the latter's territorial integrity and constructively engage in the negotiations on the settlement of the conflict, thus paving the way for the achievement of lasting peace, security and stability in the region.

Cuba

[Original: Spanish]
[14 April 2014]

Cuba recognizes the valuable contribution of confidence-building measures in strengthening regional and international peace and security. In this regard, it supports the guidelines for confidence-building measures adopted by the General Assembly in its resolution 43/78 H.

Cuba also reaffirms the validity of the guidelines for appropriate types of confidence-building measures and for the implementation of such measures on a global or regional level adopted unanimously by the Disarmament Commission in 1996. The guidelines state, among other things, that confidence-building is "a step-by-step process of taking all concrete and effective measures which express political commitments and are of military significance and which are designed to make

progress in strengthening confidence and security to lessen tension and assist in arms limitation and disarmament".

The adoption of regional and subregional confidence-building measures which fully respect the purposes and principles of the Charter and enjoy the consent and participation of the parties concerned can help to avoid conflict, prevent the unintended and accidental outbreak of hostilities and contribute to regional stability and the achievement of development objectives, including the eradication of poverty and protection of the environment. Economic, social and cultural development is inextricably related to international peace and security.

Because they are voluntary in nature, confidence-building measures cannot be imposed. The success of such measures will depend to a large extent on achieving genuine consensus among the States participating in their implementation.

For confidence-building measures to be truly effective, they must respond to the specific circumstances of the country, region or subregion in question. There can be no one-size-fits-all measures.

Respect for international law, full compliance with the Charter and international treaties, the peaceful settlement of disputes, respect for the sovereignty of States, non-intervention and refraining from the threat or use of force are the basis for peaceful coexistence and international security and constitute the indispensable framework for the development of truly effective confidence-building measures.

The implementation of confidence-building measures can help to create an enabling environment for effective arms control and limitation and disarmament and enhance the prospects for peaceful settlement of disputes. At the same time, such measures can in no way be a substitute for arms control and disarmament measures and existing regional and subregional treaties in that area, nor are they a precondition for their implementation. It is important not to lose focus on disarmament measures or impair them in any way.

The existence of more than 17,000 nuclear weapons and their continuing modernization and development, in addition to the ever-increasing world military expenditure, which now exceeds $1.756 trillion per year, are factors that create a climate of mistrust and legitimate international concern. In this context, Cuba reiterates that States with greater military capabilities bear a major responsibility with regard to confidence-building measures.

As a specific initiative, which in addition to its obvious usefulness could have great value as a confidence-building measure, Cuba proposes the creation of a fund administered by the United Nations, into which at least half of current military expenditure would be paid in order to meet the economic and social development requirements of needy countries.

It is necessary to strengthen, improve and extend confidence-building measures at all levels, as appropriate, precisely because they are designed to promote understanding, transparency and cooperation among States. At the same time, Cuba considers that the implementation of confidence-building measures should take place in such a manner as to ensure the right of each State to undiminished security, guaranteeing that no individual State or group of States obtains advantages over others at any stage of the confidence-building process.

Dominican Republic

[Original: Spanish]
[20 May 2014]

Processes arising as a result of globalization are conducive to building confidence at the regional and subregional levels, thereby heightening the level of trust between citizens and the State and among States.

Measures must be taken to achieve sustainable social, economic and human development, given that this will lead to significant improvement within each Member State, and as a consequence, to regional security. In the same vein, we cannot envisage confidence without considering compliance with international law and respect for the sovereignty of each State. For that reason, we should consider the following actions, among others:

(a) Promote greater institutional transparency and mechanisms for exchange of information among Member States concerning actions relating to firearms, ammunition and associated items, especially with regard to transfer, trade, diversion, trafficking and record-keeping, with a focus on small arms and light weapons;

(b) Strengthen technical cooperation and integration mechanisms, including diagnostics and modus operandi, in order to increase the recovery of illegal weapons, weapons held by unauthorized users and weapons that are misused, given that reduced access to firearms, especially for civilians, will enhance public security and peaceful coexistence;

(c) Improve the conceptualization of regional and subregional security, for while most countries in a region may face common problems and similar challenges within a shared cultural and socioeconomic framework, there are significant differences in some countries of the region and subregion, and these specificities must be taken into consideration, within a context of cooperation, so that the actions being designed and implemented are coherent and respond adequately to the specific needs of each State;

(d) Raise awareness that addressing security challenges does not necessarily mean engaging in actions or responses that involve military conflict;

(e) Improve mechanisms for the distribution of resources to address natural disasters in a context of solidarity among States and humanitarian support;

(f) Work together to improve public, educational and cultural policies in order to advance the promotion of a culture of peace.

Ecuador

[Original: Spanish]
[30 May 2014]

Ecuador considers that improvements in regional and subregional integration provide the appropriate framework for the implementation of confidence-building measures. In this regard, the South American Defence Council has made significant progress in promoting South America as a zone of peace and cooperation. To that end, in the Declaration of Paramaribo of 30 August 2013, the Heads of State of the

region noted that the Council was the ideal space for moving forward in the development of strategic thinking.

At present, the Council is developing a shared vision on regional defence, based on such aspects as the protection of strategic natural resources, cyberdefence and cooperation in the defence industry and in capacity-building and training, in particular with the establishment of the South American Defence College, an initiative that was led by Ecuador with support from Brazil and Argentina.

That shared vision was given specific form in the clear strategic direction set out in the action plan for 2014, the rules of the Council and the matrix of military inventories. It should be mentioned that, at the fifth meeting of the Council, the Centre for Strategic Defence Studies presented a report on the recording of defence expenditure in the region, which will be published in the coming months.

Furthermore, on 12 May 2014, the Ministers of Defence of Ecuador, Peru and Colombia held a meeting on the border for the first time at which they made a commitment to institutionalizing tripartite meetings with the aim of sharing information and reaching agreement on and implementing actions to counter illegal trafficking in arms, ammunition, explosives and drugs, the smuggling of fuel and chemical precursors and illegal mining activities, all of which are threats to the security of sea, river and land borders and inland areas of all three countries.

Confidence-building measures at the regional and subregional levels have, in the view of Ecuador, been essential in building a defence system geared to face new challenges and combat common threats through the implementation of regional instruments in the service of peace and regional stability. They have also served to strengthen cooperative efforts in areas of common concern — such as mapping of natural disaster risks and the conduct of peacekeeping exercises — that will benefit the peoples of our region.

Portugal

[Original: English]
[14 May 2014]

The General Assembly, in its resolution 68/55 on confidence-building measures in the regional and subregional context, recalling the resolutions and guidelines adopted by consensus by the Assembly and the Disarmament Commission relating to confidence-building measures, urged States to comply with all bilateral, regional and international agreements, including arms control and disarmament agreements, to which they were party.

Portugal considers that confidence-building measures are a key element in the improvement and reinforcement of peace and security and are an important way to prevent and avoid conflicts at the international, regional and subregional levels.

In this context, Portugal publishes an annual report on international trade and intermediation of defence products. Portugal also collects national data on exports of conventional weapons, which it submits to the European Union for its annual report, to the United Nations, to OSCE and to the secretariat of the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies. Portugal also publishes annually its military budget, which is available to non-governmental organizations and think tanks.

Furthermore, as to the export of weapons, Portugal fully complies with Council of the European Union Common Position 2008/944/CFSP, which sets forth rules common to all member States. Those rules include respect for international and regional embargoes, regional stability and, especially, human rights.

Portugal has welcomed a visit by African Union delegates to Portuguese maritime facilities in line with the 2050 Africa's Integrated Maritime Strategy.

Qatar

[Original: Arabic]
[23 April 2014]

Confidence-building should be based on the following elements:

(a) The international multilateral instruments on disarmament, including the Treaty on the Non-Proliferation of Nuclear Weapons, the Comprehensive Nuclear-Test-Ban Treaty, the Chemical Weapons Convention, the Biological Weapons Convention and the Convention on Certain Conventional Weapons;

(b) Action on the part of the United Nations and major States in order to persuade those States that have yet to accede to the relevant instruments;

(c) Implementation of the recommendations and outcomes of the review conferences and conferences of States parties to instruments prohibiting weapons of mass destruction;

(d) Affirmation of the right of States to acquire conventional weapons to the extent necessary for their self-defence, under the supervision of the United Nations. The Organization's role should be to regulate, rather than to restrict, the trade in such weapons.

Serbia

[Original: English]
[28 May 2014]

In accordance with their responsibilities, the Ministry of Defence and the Armed Forces of Serbia have actively participated in the following regional security initiatives in South-East Europe: the Regional Cooperation Council, the South-Eastern Europe Defence Ministerial process, the Forum for Western Balkans Defence Cooperation, the Balkan Countries Chiefs of Defence Conference and the Centre for Security Cooperation. In addition, Serbia has observer status in the United States-Adriatic Charter.

The said initiatives serve to promote cooperation in the field of security and development opportunities and to identify national capacity in regional centres (the Chemical, Biological, Radiological and Nuclear Defence Centre, the military medical academy, the military hospital in Niš, the "Jug" military base, the Centre for Peacekeeping Operations and the Centre for the Destruction of Ammunition and Weapons Kragujevac).

Through their relevant organizational units, the Ministry of Defence and the Armed Forces of Serbia fulfil all their international obligations under the Vienna Document 2011, the OSCE Document on Small Arms and Light Weapons, the

Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.

Proceeding from chapter X, on regional measures, of the Vienna Document 2011, Serbia has signed bilateral agreements in the field of arms control with Hungary at the government level and with Bulgaria at the Ministry of Defence level. Under those agreements, two activities on the territory of each country were carried out in 2013. During the activities in Bulgaria, an updated protocol between the Ministry of Defence of the Republic of Serbia and the Ministry of Defence of the Republic of Bulgaria on strengthening confidence- and security-building measures complementing the Vienna Document 2011 was signed. At the same time, two activities were also carried out in the territory of Serbia.

All provisions of article IV, on measures for subregional arms control, of annex 1-B to the General Framework Agreement for Peace in Bosnia and Herzegovina (Dayton Agreement) have been fully complied with. In 2013, Serbia took part in five inspections carried out in the territories of the other parties to the Agreement, while they took part in five inspections carried out in the territory of Serbia. Nine inspections are scheduled for 2014, five in the territory of Serbia and four in the territories of the other parties to the Agreement.

The transfer of ownership of the Agreement on Sub-regional Arms Control to the parties to the Agreement is under way. The activities are taking place according to schedule and the process is expected to be completed by the end of 2014. It is pointed out that this is the only agreement in the field of arms control that is complied with consistently and implemented in full.

The activities provided for by article V of annex 1-B to the Dayton Agreement are carried out on a regular basis by the Verification Centre of the Ministry of Defence of the Republic of Serbia and the Verification Centre of the Federal Republic of Germany. In 2013, one activity took place in Serbia, while two activities (one in Serbia and one in Germany) are scheduled for 2014.

The quantities of arms in the possession of the Armed Forces of Serbia are below the limit defined in article IV of annex 1-B to the Dayton Agreement and continue to decrease to the minimum level that meets the external and internal security needs of Serbia.

Spain

[Original: Spanish]
[30 April 2014]

The ultimate goal of a regime for arms control or of confidence- and security-building measures should be conflict prevention by reducing the danger of misperceptions or miscalculations with regard to the military activities of other States; by implementing measures to make covert military preparations more difficult; and by reducing the risk of surprise attacks or the accidental eruption of hostilities.

From that perspective, confidence- and security-building measures within a regional or subregional context are of great value as a form of prevention

specifically adapted to that context, given that they involve a smaller number of participants and can therefore be more stringent and thus more effective. All of the foregoing makes such measures easier to adopt and implement.

Within its own regional sphere, Spain has actively participated in all relevant initiatives; it is a party to the Treaty on Open Skies, which includes a set of legally binding measures and, as a member of OSCE, it is politically bound through the measures contained in the Vienna Document on Confidence- and Security-Building Measures (which was updated in 2011 with the aim of improving and broadening its implementation), as well as by other OSCE documents.[1] Moreover, Spain has contributed to the implementation of the regional stabilization agreements established by annex 1-B to the Dayton Agreement.[2]

In our view, of all the principles that should govern confidence- and security-building measures in the regional and subregional context, the following are most noteworthy: singularity, transparency, verifiability, reciprocity, voluntary participation in negotiations and obligatory compliance, progressivity and complementarity.

Ukraine

[Original: English]
[23 May 2014]

Ukraine remains consistently committed to the objectives of strengthening security for all, including through effective confidence- and security-building measures. As such, Ukraine welcomes all respective pan-European, subregional and complementary bilateral confidence- and security-building measures, past, present and future.

Confidence- and security-building measures have confirmed their relevancy and instrumentality by way of most of the OSCE community's concerted resistance to the violation of the rules of civilized behaviour during the serious crises in and around Ukraine caused by the Russian Federation's occupation and annexation of part of its territory — the Autonomous Republic of Crimea — which was followed by the destabilization of the south and east of our country, supported by Moscow, which is unprecedented in modern European history. This approach showed a responsible perception by the majority of the European community to the principle of the indivisibility of security.

The possibilities and tools stipulated in the Vienna Document 2011 for addressing concerns with regard to the illegal military activities of the Russian Federation on the territory of Ukraine and Russia's unusual and intentionally intimidating military activities near Ukraine's borders were and are widely used.

Ukraine is a long-term responsible party to such pan-European, subregional and complementary bilateral confidence-building mechanisms as the Treaty on

[1] For example, the Code of Conduct on Politico-Military Aspects of Security, the Global Exchange of Military Information or the OSCE Document on Small Arms and Light Weapons.

[2] Our country, through the Spanish Verification Unit, provides assistance with regard to and participates in the organization and implementation of the verification measures required by the Agreement. Spain is also a party to article V, which covers measures for establishing a broader regional balance and which came into force on 1 January 2002.

Conventional Armed Forces in Europe, the Treaty on Open Skies and the Vienna Document on Confidence- and Security-Building Measures and an active participant in their modernization. In addition, Ukraine has had very positive experiences of deepening confidence-building through the use of separate bilateral intergovernmental agreements on confidence- and security-building measures in border areas, as is encouraged by the Vienna Document. To date, Ukraine has entered into such agreements with neighbouring Poland in 2004, Hungary in 1998, Slovakia in 2000 and Belarus in 2001. Regular inspection activities and meetings of the parties to those agreements are aimed not so much at verifying compliance, but mostly at enhancing military contacts and their mutual relations in the interest of incrementally strengthening and complementing a bilateral, subregional and European confidence- and security-building process. On 10 March 2014, Ukraine signed an intergovernmental agreement on bilateral confidence- and security-building measures with Romania. Regrettably, Ukraine's numerous proposals to enter into similar agreements with Russia were rejected by the Russian side under the pretext of a strategic partnership between the two countries, whose true nature was entirely revealed by Russia's occupation of Ukraine's Crimea, the concentration of the Russian Armed Forces along the Ukrainian borders and subversive activities on Ukraine's territory.

In addition, and regrettably, the Russian Federation's unacceptable behaviour undermined the viability of such regional confidence-building arrangements of the Black Sea littoral States as the Black Sea Naval Cooperation Task Group and the Document on Confidence- and Security-Building Measures in the Naval Field in the Black Sea.

Ukraine is confident that the strong commitment of all participating States to fully implementing and further improving and extending confidence- and security-building measures is essential for enhancing military and political stability within the respective regions. It is, however, a great challenge to ensure that the obligations undertaken are respected, even by non-democratic regimes.

Ukraine believes that the European experience with confidence- and security-building measures may rightly be regarded as a success story and that the Vienna Document, which has generated a great deal of experience in the field of trust- and confidence-building, can serve as a viable example for similar arrangements in other regions because confidence- and security-building measures could certainly benefit all parts of the world.